



FAIR POLITICAL PRACTICES COMMISSION

128 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

February 25, 2010

Ms. Yvette Silva

✓ Yvette Silva for Bell Gardens City Council

REDACTED

Warning Letter Re: FPPC No. 08/001, Yvette Silva, Yvette Silva for Bell Gardens City Council, Respondent(s)

Dear Ms. Silva:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you and your committee that alleged that you failed to file campaign disclosure statements in connection with your November 6, 2007 election bid for Bell Gardens City Council.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that on August 22, 2007, you filed a Statement of Organization, Form 410, but indicated that you had not yet qualified as a committee. Since there is no evidence that you raised or spent \$1,000 or more and, in light of the fact that you were not successful in your election, we have decided to close this matter with a warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

The complainant also suggested that you sent campaign mailers without proper sender identification. However, there is no evidence that the flyers that accompanied the complaint were actually mailed. The Act requires that a sender of a campaign mass mailing be identified by the committee's name, street address and city in no less than 6 point type. (Section 84305.) The sender identification provisions do not apply to campaign materials that are handed out or distributed by some means other than the mail. Please consult our Technical Assistance Division if you anticipate sending a mailing in the future.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED ✓

✓ Gary S. Winuk, Chief
Enforcement Division

GSW/jt